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DECEMBER 18, 2021 BY RONNIE

Ontario Divisional Court Rules Requirement For Teachers To Be Proficient In Math Is Unconstitutional

OTCC Legal Fund



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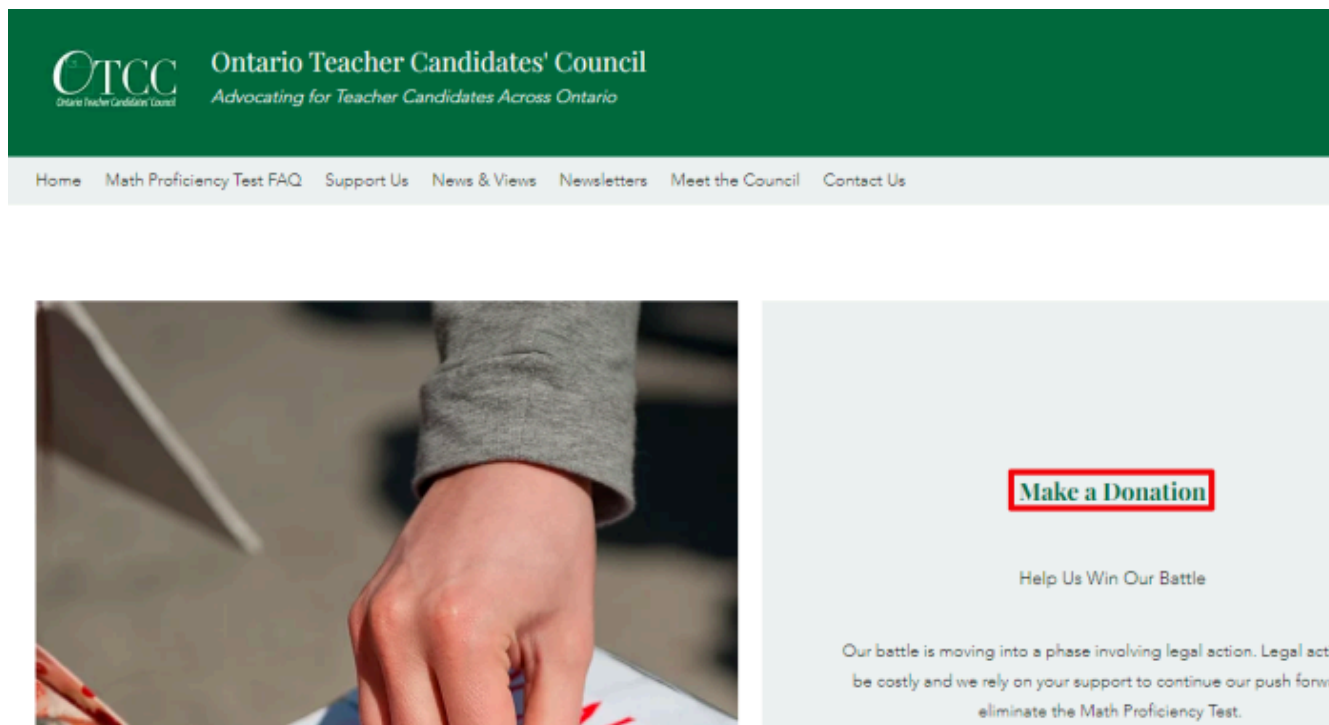
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There is a group that's asking for handouts in order to water down the standards required to teach in Ontario. Unfortunately, it seems that they've had success.

The Ontario Teacher Candidates' Council is an NGO that claims to advocate on behalf of (potential) teachers looking to get certified in Ontario. The group states that it was created largely in response to the new requirement that new teachers have a certain level of proficiency prior to getting to teach students. The online begging started quickly.

Is this really in the best interests of students? Is eliminating a pretty reasonable requirement in the name of “diversity and equity” the way to go about this? It's pretty alarming that (apparently) large numbers of people can obtain an undergraduate degree, and a bachelor of education, and have a limited grasp of mathematics.

This also highlights a serious flaw with the legal system in Canada. NGOs can commence lawsuits claiming they have a “public interest standing”, and try to get the laws changed to suit their political ideologies. Providing the papers are worded properly, this is routinely done. Courts often grant such standing.

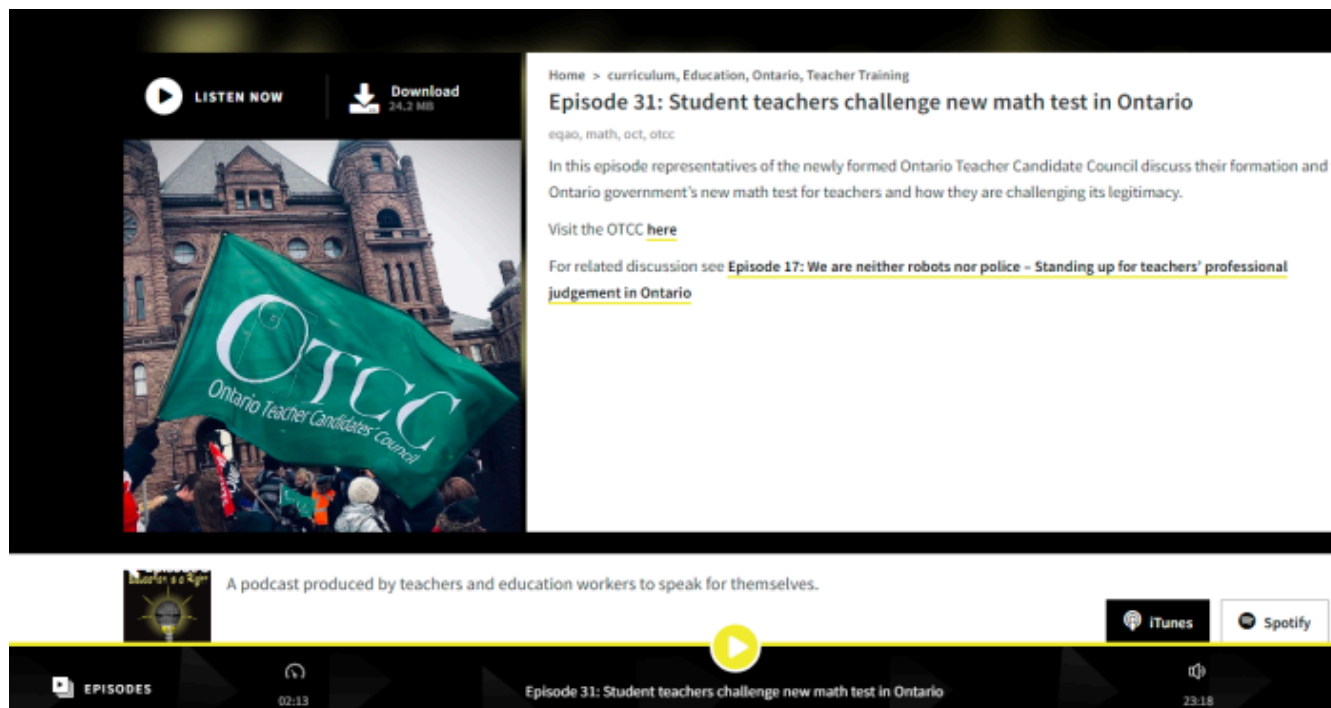
The Ontario Teacher Candidates' Council was founded in early October [2019] ***largely in response to the Math Proficiency test which was made a mandatory requirement for the qualification of new teachers.*** According to the OCT, “On August 20, 2019 two regulations were filed: Regulation 271/19, Proficiency in Mathematics, under the Ontario

College of Teachers Act, and Regulation 272/19, Objects of the Office under the Education Quality and Accountability Office Act, 1996. As a result certification requirements were updated to ensure that Ontario teachers are prepared for the modern demands of a changing society and increasingly dynamic learning environment.”

We believe that this test is not equitable, fair, justified or backed by data. The EQAO office has been rushed into creating a massive test in just months. In the past, EQAO has taken 3 years to roll out new tests. There is ***no definitive evidence which suggests that new teachers will become more effective math instructors as a result of this test, nor that students will perform better in math as a result of this.*** The last government-implemented test for teachers cost taxpayers \$22 million and the results were mostly abandoned. This new legislation is costing tens-of-millions of dollars for a test which decides the futures of thousands of Ontarians. ***This new legislation comes to teacher candidates who have spent tens of thousands of dollars on their education and carefully planned the steps they would need to take to reach their goals.*** These thousands of jobs deeply affect the economy and future of our great province. Read our Email Templates on the Newsletter page to see our questions and arguments regarding this test. ***Help us, the people, even if our government will not.***

It's interesting that this group claims there's no evidence that such requirements help. From the looks of their members, most probably couldn't pass an introductory statistics course.

In February 2020, there was a podcast for “Education Is A Right”. Apparently, the right to a QUALITY education isn't that important. If this really was about the students, there would be efforts to attract, retain, and upgrade the best teachers available. Instead, this group takes the opposite approach.



Home > curriculum, Education, Ontario, Teacher Training

Episode 31: Student teachers challenge new math test in Ontario

eqao, math, oet, otcc

In this episode representatives of the newly formed Ontario Teacher Candidate Council discuss their formation and the Ontario government's new math test for teachers and how they are challenging its legitimacy.

Visit the OTCC [here](#)

For related discussion see [Episode 17: We are neither robots nor police – Standing up for teachers' professional judgement in Ontario](#)

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OTCC Ontario Teacher Candidates Council

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BREAKING news – ONTARIO COURT declares Ontario Math Proficiency Test unconstitutional. Read more here: [otffeo.on.ca/en/news/ontario...](https://otffeo.on.ca/en/news/ontario-math-proficiency-test-unconstitutional/) @OTFpresFEO @ETFOeducators @OECTAProv @osstf @OTCC19 #onted

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This isn't something that anyone should be proud of. The Ontario Divisional Court essentially says that pandering to the anti-white diversity crowd is more important than providing quality education. Quite simply, whites passing at too high a rate implies systemic racism.

Parents would be up in arms if they were made aware of this. That said, it seems doubtful that there has been any publicity within those circles. At least the College of Teachers had enough sense to reject this idiocy.

One would think that this group would want to do what they can to ensure people of all groups are able to pass basic proficiency testing in math. However, that's not the way they go.

Turning to the ruling:

Significant Disparities in Success Rates

[32] The **EQAO collected demographic information about Field Test takers** through the voluntary demographic questionnaire which **revealed significant disparities in success rates based on test-takers' race, language and disabilities**.

[33] In particular, the Field Test demographic data showed that **non-White candidates writing in French were only successful 55 percent of the time, whereas White candidates writing in French were successful 84 percent of the time**. Candidates who identified as belonging to non-White ethno-racial groups (such as **African, Indigenous, Latino and Middle Eastern**) **failed at a significantly higher rate than White candidates**. Candidates who indicated they had a cognitive disability failed the Field Test at over twice the rate of candidates without a disability.

Apparently there are differences in the average cognitive abilities between groups. The solution is obviously to reduce (or eliminate) standards, to ensure there is no difference.

Also, let's not mince words. This isn't just an effort to dumb down the teaching profession. This is an attempt to reduce the number of whites, and replace them with non-whites.

What Is the Appropriate Remedy?

[161] A declaration will issue that the Mathematics Proficiency Test and the legislative provisions that create it **infringe s. 15 of the Canadian Charter of Rights and Freedoms and the infringement cannot be justified under s. 1**. Specifically, the Proficiency in Mathematics regulation (O. Reg 271/19), as amended, and s. 18(1)(c) of the Ontario College of Teachers Act, 1996, S.O. 1996, c.12 are of no force or effect.

[162] A declaration will issue that the **Ontario College of Teachers shall grant certification to teacher candidates who have not passed the Mathematics Proficiency Test** (or shall grant full certification in the case of teacher candidates whose certification is conditional on passing the Mathematics Proficiency Test) but have otherwise met all other certification requirements.

Conclusion

[167] The application for judicial review is granted. The following relief is ordered:

(a) The ***Mathematics Proficiency Test violates s. 15(1) of the Charter, is not justified under s. 1, and is unconstitutional;***

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(b) O. Reg. 271/19, ***Proficiency in Mathematics, as amended, under the Ontario College of Teachers Act, 1996, S.O. 1996, c.12 is unconstitutional and of no force and effect;***

.

(c) Paragraph s. 18(1)(c) of the Ontario College of Teachers Act, 1996, S.O. 1996, c.12 is unconstitutional and of no force or effect;

.

(d) The Ontario College of Teachers shall grant certification to teacher candidates who have not passed the Mathematics Proficiency Test (or shall grant full certification in the case of teacher candidates whose certification is conditional on passing the Mathematics Proficiency Test) but who have otherwise met all other certification requirements; and

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(e) The Respondent shall pay the Applicants \$90,000 in costs of the application.

Basically, the Ontario Divisional Court ruled that it was discriminatory in order to force all teachers to have a certain mathematical background.

And on top of it, a \$90,000 costs award was also handed down. Now, will the donors get a refund for their contributions, or will the group owners just pocket it?

Bella Lewkowicz is a French teacher with Ottawa-Carleton District School Board. The group itself boasts some pretty impressive educational credentials. It's baffling then why they would work like this to dumb down the teaching profession. Is it guilt? Self-hatred? Or is this some more destructive impulse?

(1) <https://www.otcc.ca/>

(2) <https://www.otcc.ca/get-involved>

(3) Home Ontario Teacher Candidates' Council

(4) <https://www.otffeo.on.ca/en/news/ontario-court-declares-that-the-ontario-math-proficiency-test-is-unconstitutional/>

(5) <https://twitter.com/OTCC19>

- (6) [https://www.gofundme.com/f/otcc-legal-fund?
utm_campaign=p_cp_url&utm_medium=os&utm_source=customer](https://www.gofundme.com/f/otcc-legal-fund?utm_campaign=p_cp_url&utm_medium=os&utm_source=customer)
- (7) <https://twitter.com/otffeo/status/1471940285210968070>
- (8) <https://www.otffeo.on.ca/en/wp-content/uploads/sites/2/2021/12/2021-12-16-OTCC-v-Ontario-FINAL-signed-by-all.pdf>
- (9) [Court Ruling Divisional Court 2021.12.16 OTCC v Ontario FINAL signed by all](#)
- (10) <http://edisaright.ca/episode-31-student-teachers-challenge-new-math-test-in-ontario>
- (11) <https://www.linkedin.com/in/bella-lewkowicz-5232951/>

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